HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P. No.20445 of 2007

5.10.2007

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Between

Samayamanthula Krishna Rao and others ..Petitioners

AND

The Special Deputy Collector, Tribal Welfare, Kota Ramachandrapuram and others ..Respondents

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:: JUDGMENT ::

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P. No.20445 of 2007

This writ petition has been instituted when the respondents 1 and 2 attempted to dispossess the petitioners from the lands situated in R.S.Nos.39 and 40 of P.Narayanapuram Village, Jeelugumilli Mandal, West Godavari District based on the orders dated 29.11.2006 passed by the Special Deputy Collector, Tribal Welfare, Kota Ramachandrapuram, West Godavari District. It is the assertion of the petitioners that they have preferred an Appeal to the Agent to the Government, third respondent herein against the orders passed by the first respondent on 29.11.2006 and the Appeal is at still pending.

The learned Government Pleader for Social Welfare has received instructions in the matter that a programme has been prepared by the third respondent for dealing with the pending cases from 20th October, 2007 onwards.

When once, an Appeal has been preferred which is an assured right, it is only appropriate that the said Appeal is decided at the earliest. It is no doubt true that the Agent to the Government would have been preoccupied with more pressing and urgent matters of great public importance, but nonetheless, they will have to spare some time for deciding the Appeals preferred against the orders passed by the primary authority in a

quick time. I hope and trust that the Appeal preferred by the petitioners herein would at best be decided on or before 31.1.2008 and till such time the Appeal is decided, the petitioners shall not be evicted from out of the lands in their possession pursuant to the orders passed by the first respondent herein on 29.11.2006.

With this, the writ petition stands disposed of. No costs.

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NOOTY RAMAMOHANA RAO.J.

5.10.2007
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